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ABSTRACT

Several of the current controversial issues on education's agenda are discussed. Chapters are devoted to (1) religion in the schools; (2) freedom of expression; (3) textbook censorship; and (4) compensatory social programs (including drug testing, drug problems, and bilingual education). In each of these areas, the issues surrounding the controversies are examined and ways educators can respond to them are suggested. Appended are 10 references. (SI)

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FASTBACK

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Controversial Issues in Schools: Dealing with the Inevitable

William Goldstein

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Controversial Issues in Schools: Dealing with the Inevitable

by
William Goldstein

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Table of Contents

Introduction 7

School or Sunday School? The Battle Continues 9

Censorship: Will It Ever End? 17

Textbooks Under Attack 21

Social Programs: Can Schools Take Them On? 25

Conclusion 29

References 32

Introduction

In many ways public schooling in America is like the law of physics: for every action there is a reaction. And the reaction is frequently controversial, with our schools becoming a battleground where Americans let all their values and allegiances hang out. Advocates and adversaries are so unyielding and tenacious that compromise becomes impossible; too often winners and losers are decided by the courts. And the list of controversies seems unending, often taking the form of mutations on familiar themes. The following list of recent headlines from newspapers and journals serves to focus the issues:

- New Jersey Moves to Take Control of School District (*Education Week*)
- Minnesota Districts Asked to Drop Indian Names (*Education Week*)
- Can a Judge Raise Taxes? (*Newsweek*)
- Public Says Schools Not Improving (*Education Week*)
- Suddenly, Business Schools Tackle Ethics (*New York Times*)
- Going Topless and Other Sins: A Baptist Education? (*Newsweek*)
- Schools Turning to Cash Incentive (*Education Week*)
- Two Students Caught with Guns in School (*Education Week*)
- Should Records and Tapes with Sexually Explicit Lyrics be Required to Carry Warning Labels? (*NEA Today*)
- Booklet Spurs Racism Charges in New York (*Education Week*)

- Kids: Deadly Force (*Newsweek*)
- Jail Terms for Poor Grades: A 'C' Will Keep You Free (*Newsweek*)
- Boring Classics Back at Bay State School (*Education Week*)
- Animal-Rights Groups Incensed by Ideas in Wildlife Curriculum (*Education Week*)
- Court Upholds 'Mentor Teacher' Program in New York (*Education Week*)
- College-Entry Rules Spark Debate in Montana (*Education Week*)
- Pesticides in Schools: Focus Shifting from Indifference to Concern (*Education Week*)
- Plug Pulled on Frog Advocate's TV Ad (*Education Week*)

This fastback deals directly with only a few of the above issues; however, one can readily infer from scanning the list just how endemic controversy is to our public schools. We live in a society where individual rights are pitted against the common good, where distinguishing liberty from license defies easy resolution, where what is culturally valued often conflicts with what is constitutionally acceptable. When values collide, controversy is inevitable. And in no place is the controversy played out more intensely than in America's public schools. Dealing with these controversial issues takes its toll in the time and energy it demands of administrators, teachers, and school boards. But deal with them they must.

In the brief space of this fastback, I can deal with only a few of the current controversial issues on education's agenda. They are: 1) religion in the schools, 2) freedom of expression, 3) textbook censorship, and 4) compensatory social programs. With each of these areas, I shall examine the issues surrounding the controversies and suggest ways educators can respond to them.

School or Sunday School? The Battle Continues

Religion continues to be a volatile issue in our public schools. Despite the fact that courts in all jurisdictions have bellowed "No" in a variety of ways, polls report that about 70% of the American public wants its children to pray in public school. So does the current administration in Washington. In some states legislators have resorted to "moments of silence" as a way of circumventing the prohibition of prayer in schools. In some places this policy continues unchallenged, in others it has been struck down because of religion-entangling wording; in still others it is awaiting judicial scrutiny. Those groups wanting prayer in school seem – at least temporarily – to be content with the "moment of silence." Others who see this as a constitutional violation of separation of church and state scream, "Whose prayer – yours or mine?"

What eludes many lay people – and some educators as well – is that the U.S. Supreme Court has spelled out quite clearly in *Lemon* v. *Kurtzman* what it takes to pass constitutional muster with these three questions:

1. Does the activity have a secular purpose?
2. Does the principal or primary effect of the activity advance or inhibit religion?
3. Does the activity foster an excessive entanglement of government with religion?

It remains for legal scholars to decide whether "moments of silence" violate the constitutional requirements posed by these three questions.

Failing on the school prayer issue has not deterred some fundamentalist groups from demanding access to the science curriculum. Such groups have attempted – sometimes successfully – to get science texts rewritten to include the "theory" of creationism on an equal status with evolution. No longer refuting evolution directly, they have used the tactic of asking for "equal time" for their biblical version of the Earth's origins. They failed, but not before much media ink was consumed covering the court cases dealing with the issue over a number of years.

No less a body than the prestigious National Academy of Sciences found it necessary to enter the fray. The following passage from *Science and Creationism: A View from the National Academy of Sciences* (1984) stands as an eloquent statement for educators to cite when controversies arise over the teaching of evolution versus creationism:

> [T]he goal of science is to seek naturalistic explanations for phenomena – and the origins of life, the earth, and the universe are to scientists such phenomena – within the framework of natural laws and principles and the *operational rule of testability*. [italics added]
>
> It is, therefore, our unequivocal conclusion that creationism, with its accounts of the origin of life by supernatural means, is *not* science. It subordinates evidence to statements based on authority and revelation. Its documentation is almost entirely limited to the special publications of its advocates. And its central hypothesis is not subject to change in light of new data or demonstration of error. Moreover, when the evidence for creationism has been subjected to the tests of the scientific method, it has been found invalid.
>
> No body of beliefs that has its origin in doctrinal material rather than scientific observation should be admissible as science in any science course. Incorporating the teaching of such doctrines into a science curriculum stifles the development of critical thinking patterns in the developing mind and seriously compromises the best interests of public education. (p. 26)

Creating its own brand of "science," however, is not the only intrusion that fundamentalists have made into the curriculum. In two closely related cases, *Smith* v. *Board of School Commissioners of Mobile County* (Alabama 1987) and *Mozert* v. *Hawkins County School District* (Tennessee 1986), the charge was made that the religion of "secular humanism" permeated textbooks. (See fastback 272 *Religion and the Schools: Significant Court Decisions in the 1980s*, by Eugene T. Connors.)

In the Alabama case, Judge Brevard Hand ordered 44 textbooks removed from the Mobile County, Alabama, public schools because they allegedly supported the religion of secular humanism. This decision, affecting the central tools of instruction, sent tremors through the publishing and educational communities. On appeal, Judge Hand's decision was overturned and the legitimacy of the books was restored.

In the Tennessee case, the issue was not removal of textbooks. Rather, the parent plaintiffs demanded that their children be excused from classes using the Holt, Rinehart & Winston basal reading series for grades 1-8, because as a whole they allegedly promoted values – including feminism, religious tolerance, and situational ethics – that ran counter to the parents' religious beliefs. U.S. District Judge Thomas G. Hull ruled that the children's First Amendment right to free exercise of religion was violated by mere exposure to the books. He ordered the school board to excuse the children from reading classes and to permit their parents to teach them reading at home. This decision also was subsequently overturned (Mirga 1987).

Both the Alabama and Tennessee cases were different from earlier cases dealing with such issues as school prayer. In these two cases the plaintiffs charged that the textbooks were unconstitutionally contributing to the *establishment* of religion – in this case the religion of "secular humanism." Ivan Gluckman (1987), director of legal services and government relations for the National Association of Secondary School Principals, offers some helpful insight into the semantic problems surrounding the definition of secular humanism:

> Basically, the term "secular humanism" appears to refer to the generally non-theological approach textbook publishers have taken in dealing with most school subjects in order to avoid antagonizing any one sect of religion, plus the rationalism that forms the bases of modern science.

Gluckman's definition is reasonable and contrasts sharply from the efforts of certain fundamentalists to define the term in Humpty-Dumpty fashion to mean whatever they want it to mean to serve their purposes. Lack of a common and rational definition invites both caprice and chaos. Nevertheless, those who have used the straw man of "secular humanism" to challenge textbooks and the curriculum can not be dismissed lightly. Their persistent attempts to intrude on the public school curriculum, if left unchecked, could scuttle all efforts at honest intellectual inquiry. Fortunately, intrusions of this type, at least till now, have been uniformly rejected by the courts.

Nonetheless, groups and individuals persist in their determination to press their values on other people's children, and they show no signs of ending their quest – only shifting their emphases and approaches to achieve the same ends. Their adventurism takes on a number of peculiar forms, as illustrated by the following incidents.

Richard Mallette, a West Haven, Connecticut, minister, demanded the ouster of the "Blue Devil," which had served as the mascot symbol for the high school in that city for 40 years (it also is the mascot of Duke University). The students rallied in support of their traditional mascot and disavowed any religious import to the symbol. Aside from the humor in the incident, the school board and administrators had to devote many hours of their valuable time responding to both the complaint and the students' reaction.

In 1986, in a federal district court in Little Rock, Arkansas, a case was heard involving Ralph P. Forbes, a carpenter. Forbes filed the suit on behalf of himself, his five children, the taxpayers of Arkansas, and Jesus Christ. The defendant was Satan. Forbes charged that Halloween is Satan's holiday, and that observance of it in the public

schools violates the establishment clause of the First Amendment of the U.S. Constitution. "There are a lot of Satanic churches that believe Satan is reborn on Halloween," Forbes explained. "If having a Christmas pageant is the establishment of religion in schools, then so is celebrating Halloween." John Wesley Hall, Jr., an attorney acting as self-appointed advocate for Satan in this case, humorously noted, "I don't think either party will appear for trial."

Our judicial system allows people like Ralph P. Forbes to have their day in court. But one cannot help but wonder if constitutional rights are not being pushed to their limit when such a case is allowed to clog a court's crowded calendar.

So sensitized are Americans to church/state issues that even former Secretary of Education William J. Bennett became the focal point of a mini-storm when he sent out his official seasonal holiday greeting card in December 1987. With his outspoken views on education policy, Mr. Bennett is no stranger to controversy; but what set off the protests this time was the message on the card. After the usual good wishes for the holiday season, the message quoted the famous passage from Isaiah 9:6, "For unto us a child is born, unto us a son is given," words known to all who have sung the rousing chorus from Handel's *Messiah*.

At issue here was a member of the President's Cabinet sending out his official holiday greeting – an innocuous act of seasonal good will – but the card carried a religious message and was mailed at government expense. For state-church separationists, this is a no-no. Where does it all end? How many protests are required to resolve what has already been decided in the courts long ago? Or will the establishment clause in the First Amendment to the Constitution continue to incite rancor among our citizenry?

Including Christmas carols and other sacred selections in school music programs is no longer a matter of controversy. Over the years, various courts have ruled that Christmas music in schools is acceptable because it is part of the secular culture and is not performed as

a religious observance or a means of proselytizing a particular faith. However, educators should understand that the Constitution says nothing about "equal time" for religious music from different faiths to satisfy some pluralistic test of fairness.

Aside from Christmas music, other forms of religious observances in schools have not fared as well in the courts. For example, in 1986 the Oregon Court of Appeals ruled that public schools in the state cannot include spoken prayers in their graduation ceremonies. California also has had religious invocations banned at graduation ceremonies. (For a more complete analysis of these and other cases, see Clifford P. Hooker, "Prayer in Public School Graduation Ceremonies," *A Legal Memorandum*, April 1986, published by the National Association of Secondary School Principals.)

In 1986 parents in both Florida and Georgia challenged religious ceremonies prior to football games. In 1987 a federal district judge in Arkansas ordered a school district to ensure that its high school band director discontinue holding voluntary prayer sessions for band members before football games. The threat of a lawsuit prompted administrators at West Fork High School in northwestern Arkansas to end the practice of allowing monthly meetings of the Teens for Christ Club, a group that operated without incident in the school for 33 years. (For a fuller discussion, see fastback 253 *Voluntary Religious Activities in Public Schools: Policy Guidelines*, by Jan C. Robbins.)

Despite a series of court decisions over several decades that have attempted to interpret the constitutional doctrine of separation of church and state, religious issues in schools continue to create conflict and controversy in communities across the country. Educators need to be knowledgeable about these legal decisions and particularly about their constitutional roots. Noted historian Henry Steele Commager (1984) reminds us of these roots when he quotes Founding Fathers John Adams and James Madison:

> John Adams put it bluntly: "Congress shall never meddle with religion other than to say their own prayers and to give thanks once a

year." Furthermore, Madison asserted that "The Constitution does not create a shadow of right in the general Government to intermeddle with religion."

Commager goes on to show the intensity of Madison's beliefs with this quotation:

> What influence have ecclesiastical establishments had in the past? They have been seen to erect a spiritual tyrrany on the ruins of civil authority; they have upheld the thrones of political tyrrany; in no instances have they been the guardians of the liberties of the people. A just government, instituted to secure and perpetuate the public liberty, needs them not.

These are harsh words, indeed! Nevertheless, they reflect the prevailing sentiment in Madison's time. Such strong feelings were the basis for writing the establishment clause in the First Amendment of the U.S. Constitution.

One outcome of our long history of litigation over religious issues in the schools is that many educators and textbook publishers have become "gun shy" about mentioning anything about religion. By ignoring religion, they avoid controversy, so they reason. However, this kind of thinking has generated its own controversy. Historians and such professional organizations as the American Association of School Administrators and the Association for Supervision and Curriculum Development maintain that students cannot understand American history without including the vital role of religion. In 1964, when AASA published *Religion in the Public Schools*, it stated:

> A curriculum which ignored religion would itself have serious religious implications. It would seem to proclaim that religion has not been as real in men's lives as health or politics or economics. By omission it would appear to deny that religion has been and is important in man's history – a denial of the obvious. (p 56)

More recently Goldberg (1987), in writing about the report issued by ASCD on this topic, says:

> Public schools should end the current curricular silence on religion and begin teaching about its role in American history and society. . . . Schools' deficiencies in teaching about religion stem, in large part, from fear of controversy, according to the report.

Public schools may teach *about* religion. What is not constitutionally permissible is to proselytize or indoctrinate for any particular faith or, for that matter, the absence of faith. (See fastback 224 *Teaching About Religion in the Public Schools*, by Charles R. Kniker.) The guidelines offered in AASA's *Religion in the Public Schools* published in 1964 remain valid today:

1. The school may sponsor the study of religion, but may not sponsor the practice of religion.
2. The school may expose students to all religious views, but may not impose any particular view.
3. The school's approach to religion is one of instruction, not one of indoctrination.
4. The function of the school is to educate about all religions, not to convert to any one religion.
5. The school's approach is academic, not devotional.
6. The school should study what all people believe, but should not teach the student what to believe.
7. The school should strive for student awareness of all religions, but should not press for student acceptance of any one religion.
8. The school should seek to inform the student about various beliefs, but should not seek to conform him or her to any one belief.

Fear of religious entanglement remains a concern for educators – and rightly so. Controlling or attempting to control young minds is a dangerous game fraught with many traps. Educators must be ever faithful to the Constitution, while at the same time supporting the teaching *about* religion from historical and cultural perspectives.

Censorship: Will It Ever End?

Censorship is the handmaiden of oppression. It strangles free expression, curtails enlightened exchange, and prevents full examination of all sides of an issue. The Constitution guarantees freedom of expression, and courts in all jurisdictions have championed the cause of free speech in all its forms, including – to the outrage of some – how students may dress for school. Yet, certain special interest groups or individuals persist in trying to control what students read in both textbooks and library books used in schools.

According to the 1987 annual survey conducted by People for the American Way, attempts to censor books and other curricular materials used in schools have increased by 20% over the past five years. The list includes dictionaries, science texts, and even Shakespeare. A long-time favorite on the list of forbidden fiction is *The Catcher in the Rye* (naughty words). Below is a sampling of the books most frequently under attack, as compiled by People for the American Way.

Most Frequently Challenged Books, 1982-1987

Book	Times Challenged
The Chocolate War, by Robert Cormier	9
The Catcher in the Rye, by J.D. Salinger	8
Of Mice And Men, by John Steinbeck	8

The Adventures of Huckleberry Finn, by Mark Twain	7
Deenie, by Judy Blume	7
Forever, by Judy Blume	6
Blubber, by Judy Blume	5
Then Again Maybe I Won't, by Judy Blume	5
Go Ask Alice, by anonymous	7
A Light in the Attic, by Shel Silverstein	7
The Diary of Anne Frank, by Anne Frank	5
Finding My Way (health textbook)	5
To Kill a Mockingbird, by Harper Lee	5
Cujo, by Stephen King	4

A more comprehensive review of the extent of censorship can be found in Edward Jenkinson's *The Schoolbook Protest Movement: 40 Questions and Answers* (Phi Delta Kappa Educational Foundation, 1986).

The majority of complaints about schoolbooks come from political and religious conservative groups opposed to what to they see as "secular humanism" pervading all areas of the curriculum. Perhaps the mindset of these groups is best described by A. Bartlett Giamatti, then president of Yale University, in his message to entering freshmen in 1981:

> From the maw of this "morality" [the Moral Majority] come those who presume to know what justice for all is; come those who presume to know which books are fit to read, which television programs are fit to watch, which textbooks will serve for all the young; come spilling those who presume to know what God alone knows, which is when human life begins. From the maw of this "morality," rise the tax-exempt Savanarolas who believe they, and they alone, possess the truth. There is no debate, no discussion, no dissent. They know. There is only one set of overarching political and spiritual and social beliefs; whatever view does not conform to these views, is by definition relativistic, negative, secular, immoral, against the family, anti-free enterprise, un-American. What nonsense.

Giamatti found it necessary to write those impassioned words in 1981, even though some 12 years earlier in 1969, the U.S. Supreme Court made its landmark decision in *Tinker* v. *Des Moines School District* limiting the school district from interfering with students' right to free expression – in this case, wearing black armbands to protest the war in Vietnam. And in 1971, in the case of *Cohen* v. *California*, the right of a student to wear a jacket on which a vulgar expression was imprinted also was upheld on grounds of freedom of expression.

However, by 1983 students' right to unlimited free expression was tested in the case of *Bethel School District* v. *Fraser*. Matthew Fraser, a senior at Bethel (Washington) High School, delivered a nominating speech on behalf of his friend who was running for a student body office. The speech was filled with sexual metaphor and innuendo, which students readily understood; but it contained no explicit foul language. Teachers complained, and Fraser was suspended for three days and had his name deleted from the list of candidates to speak at commencement exercises.

Citing *Tinker*, both the U.S. District Court and, on appeal, the U.S. Court of Appeals for the 9th Circuit upheld Fraser's right to expression. The school district appealed the decision, and three years later in 1986 the U.S. Supreme Court reversed the lower court's decisions by a vote of 7-2. In the Court's ruling a distinction was made between the free speech rights of adults and those of students in public schools. Also, the Court argued that it was appropriate for the school to prohibit "the use of vulgar and offensive terms in public discourse." (For a more detailed discussion of these cases, see "U.S. Supreme Court Reviews Student Freedom of Speech, *A Legal Memorandum*, September 1986, published by the National Association of Secondary School Principals.)

Probably the largest seismic reading on the censorship scale came in the 1988 landmark Supreme Court decision in *Hazelwood* v. *Kuhlmeier*, the first high school press case ever to reach the highest court in the land. (See fastback 274 *Student Press and the* Hazelwood *De-*

cision, by Jan C. Robbins.) At issue in this case was the right to control student expression in a school newspaper.

The principal of Hazelwood East High School in suburban St. Louis ordered two pages of the school paper to be removed because of two articles dealing with teenage pregnancy and divorce. He charged that the identities of the persons interviewed for the articles were not sufficiently masked and that the subject matter was "inappropriate" for a school newspaper. The students who wrote the articles were members of the Journalism II class, and putting out the paper was the major assignment of the class. The students filed suit on First Amendment grounds.

The district court held for the school, but this decision was reversed by the U.S. 8th Circuit Court of Appeals. The Supreme Court, in turn, reversed the appeals court decision by a vote of 7 to 2, stating, "Educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical purposes."

So what do all these seemingly contradictory court decisions really mean? A few conclusions can be made. First, following *Tinker*, students still do not shed their rights at the schoolhouse gate; however, freedom of expression for students in school is not license. Also, in the exercise of free expression there are distinctions between adults and students in school. And finally, there is both the expectation and obligation for schools to create and maintain environments of civility, safety, and propriety for all their students.

Censorship comes in many forms; it can be slippery stuff. Changing times and shifting values will bring new controversies. Perhaps the best advice for educators is to follow the Boy Scout motto: "Be Prepared." Try to anticipate the actions of organized groups and self-appointed committees with a special ax to grind, be it religious, political, or any other cause. But accept the fact that one can never foresee every possible turn of events.

Textbooks Under Attack

In addition to the controversies over censorship of textbooks, these staples of teaching, providing the major sources of information for students, have come under heavy fire from intellectuals in the past few years. Both professional journals and the general media have carried major pieces on the low quality of American textbooks. The charges have sent economic shock waves through the textbook publishing industry.

This fastback is not the forum to explore the reputed maladies of the American textbook in detail. But enough information and discussion is provided to give the reader some familiarity with still another controversial issue. Actually, the criticisms of textbooks can be reduced to a few general types.

1. The strongest dissatisfaction expressed, particularly by scholars, is the "dumbing down" of textbooks. These critics say that textbook authors, in an effort to serve all students, write in a style dictated by readability formulas; and as a result their prose is fragmented, vapid, and frequently lacking in substantive content. Textbooks, they say, are written to appeal to the lowest-achieving students.

2. Colliding with the "dumbing down" charge is the criticism that some textbooks are too difficult. For example, one of the alleged reasons the touted PSSC Physics Program faded from the high school science scene was that the main textbook was too difficult for any but the most gifted science students.

3. Perpetuation of stereotypes is a frequently voiced criticism, particularly from feminist groups.

4. Inaccurate or incomplete information in social studies and science texts often is cited by those who review textbook content. In an effort to write simply, textbook authors sometimes fail to develop a concept fully.

5. Avoidance of controversial issues, such as the Vietnam War, evolution, homosexuality, and abortion, is another category of criticism. Publishers, with an eye on the widest possible market, do not want to offend anyone.

Obviously, there are variations on these categories of criticism; but whatever the arguments, the quality of texts has become a controversial issue. Nevertheless, the debate is a healthy one in that it is causing educators to engage in a searching re-examination of the central academic tools of instruction.

Merely listing the criticisms, however, does not provide solutions for improving America's textbooks. You can take your pick of "experts" who think they have *the* solution, but most problems in education seldom have a single solution. For example, Robert Rothman (1988) points out that publishers are confused by the "conflicting signals from educators" regarding what organizational approach they should emphasize in elementary social studies texts. Should they focus on chronological treatment of history, global studies, social movements, or expanding environments?

Likewise, confusion and controversy persist over the role of basal series in teaching reading. While nearly 90% of elementary schools use basal readers as the major instructional tool for teaching reading, they have come under attack for their bland writing, insipid stories, and controlled vocabularies. Critics are calling for the use of real children's books by good authors to teach reading (Rothman 1987).

Edward Fiske (1987), education editor of the *New York Times*, summarized the controversy well when he cited what he considers the central problems with textbooks: 1) they are "dumbed down," 2) "text-

books have been stripped of controversial issues and thus distorted," and 3) "academic skills have taken precedence over meaning and content in textbooks." In the same article Fiske quotes Herbert Adams, former president of Laidlaw Educational Publishers: "There are some good textbooks out there, but they are not necessarily the ones that sell. *If there were profits in good books, you'd have good books*" (italics added). And so the profit motive is unmasked as well!

How "good" textbooks really are is a matter not only of judgment but of *whose* judgment. In the final analysis, it is for scholars and teacher-scholars to sift, sort, and determine what content should be in textbooks. This means eliminating the trivial and focusing on the central concepts of what students must know. (See fastback 275 *Improving the Textbook Selection Process*, by M. Jean Young and Charles M. Reigeluth.)

When teachers, administrators, and school boards are faced with the task of selecting texts, they should consider the following:

1. Know the curriculum and what materials best fit it.
2. Do not mimic the selections of neighboring school districts regardless of their reputations, unless you also have reviewed their curricula and academic emphases.
3. Organize in each school textbook selection committees composed mainly of teachers with appropriate areas of scholarship. Representatives from these committees can then serve on a textbook council for the school district.
4. Review, if available, at least five texts or text series for each grade level or course.
5. Devise an evaluation sheet tailored to your approved curriculum and use it when assessing each text or series.
6. Review texts by grade or course at least every three years to see if content has become obsolete or if new content should be added.
7. When a text has been adopted and used for a year, request appropriate faculty to assess its effectiveness. If the assessment is negative, begin the process for selecting a different text.

8. Communicate in writing to publishers about what you are looking for in a text, also about what is acceptable or unacceptable in their existing texts. Publishers need counsel if they are to improve their textbooks.

Social Programs: Can Schools Take Them On?

The final group of controversial issues facing schools falls into the category of what I call, for lack of a better term, "social programs." These include a wide array of social services and programs the schools have been asked to take on to help alleviate the ills of our society. At issue here is whether the schools can take on such programs. With an instructional year of only 180 days and with fiscal constraints facing most school districts today, just how much more can the schools do and still maintain a high quality instructional program? The larger social policy issue, of course, is whether schools *should* be involved in such programs.

Space permits discussion here of only a few social programs that have provoked strong controversy in recent years, but they serve to illustrate the divergent opinions among both educators and the general public.

In his opinion piece in *Education Week* titled " 'Therapeutic' Schooling Endangers Reform" (2 March 1988), Sol Cohen, professor of education at University of California at Los Angeles, states:

> Teachers have become overburdened with conflicting and even contradictory messages. On the one hand, they cannot forget that they still have to be concerned with students' behavior and academic performance; they are still expected to achieve certain instructional objectives and to maintain order and discipline. On the other hand, the widespread diffusion of the notion that failure must be avoided at all costs has un-

> dermined schools' confidence in the setting of standards and diverted attention from positive efforts at programs of remedial education. (p. 30)

Many educators would no doubt find Cohen's remarks reactionary, even inflammatory. Yet he expresses a view held by many: namely, that the schools should not be parent surrogates but should be devoting all their resources to maintaining high standards in academic pursuits. An extreme example of the extent to which schools have pursued the "notion that failure must be avoided at all costs" is a New Jersey high school paying potential dropouts $5 a day to stay in school (reported in the *New York Times*, 6 December 1987, p. 83). Thus bribery, underwritten by taxpayers, now has become a way of dealing with the dropout problem!

Testing for drug use (students and school employees) is another social program engaging the schools more and more. Without arguing the merits of drug-testing programs, it is clear that they have become sources of controversy in schools. When only athletes are tested, the charge is made that it is unfair to single out this group in the student body. When the Tennessee legislature passed a bill in 1988 permitting students suspected of using drugs to be tested, the bill was vigorously opposed by the American Civil Liberties Union. When the Washington, D.C., schools attempted in 1987 to require transportation workers to submit to drug testing, it was overturned by an appeals court ruling.

The drug problem is an urgent national issue commanding the attention of the highest levels of the federal government. Drug testing is only one aspect of the problem with which the schools will have to deal. Educators can expect continuing controversy; it is inevitable.

Another issue of continuing controversy is bilingual education. Since its inception, bilingual education has generated conflicting opinions about its value. And research on the topic has done little to resolve the issue and, in fact, has tended to intensify the conflict. The nature of the controversy is captured below in headlines from *Education Week* over the last couple of years:

- State, District Actions Address Bilingual Issues (23 September 1987)
- Voters in Florida and Texas Back Official-English Bills (23 March 1988)
- California Bilingual Rules Relaxed (16 March 1988)
- California Study Supports Value of Bilingual Ed. (2 March 1988)
- English-Immersion Students Perform Well in Study (23 September 1987)
- Union Votes Down Bilingual Method (9 September 1987)
- Bilingual Suit Tests Pupils' Rights (28 October 1987)
- Ruling Supports Limited Use of Bilingual Method (22 February 1989)

The bilingual issue also has spilled over into the arena of public debate, with many arguing that acculturation of immigrant children requires quick mastery of the English language. They argue that by insisting on instruction in children's native languages – primarily Spanish but more recently Asian languages – we are only prolonging the time when they can enter and profit from the mainstream culture. Public backlash also is evident in the success of U.S. English, a group that promotes English as the official national language. Through its efforts, 14 states now have constitutional amendments making English their official language, and in California such a measure was passed by public referendum.

The bilingual issue will continue to plague the schools. Debate will persist over different approaches to bilingual education and over how long children should remain in these programs. And the courts will issue mandates that satisfy no parties in the dispute. Once more, the schools become the instrument of implementing social policy and bear the brunt of the inevitable controversy it generates.

More recent additions to the list of social programs for which the schools have been asked to assume responsibility include AIDS education, child care (both after-school programs for latchkey children

and in-school programs for infants of teenage mothers), and school-based health clinics – some of which are dispensing contraceptives to sexually active adolescents. The list goes on, with many of the requests for new social programs coming in the form of mandates from legislators or blue-ribbon citizens' committees.

America's social maladies – deprivation, crime, drug abuse, teenage pregnancy – cannot be wished away nor lectured away. Educators may be flattered by the faith placed in the schools to resolve these social problems; but with every new social program they are asked to undertake, they need to ask: 1) What time must be sacrificed from the established curriculum in order to take on these new missions? 2) What are the costs of the social program and can the school system afford these costs? 3) Does the school have the staff expertise to carry out the program? and 4) What potential for controversy does the program hold – controversy that commands the time and emotional energy of educators?

Conclusion

As the subtitle of this fastback states, educators are "dealing with the inevitable" when controversial issues arise in the schools. There really is no escaping them. One never knows when social or legal lightning will strike or, when it does, the shape or intensity of the bolt. But there are approaches school systems can use to calm the storm, to put things in perspective, and eventually to get things back on track. The following guidelines may be useful:

1. Have written policies and a set of procedures in place for dealing with controversial issues when they arise, and make sure they are disseminated to the board, administrators, and faculty, as well as publicized in the community.

2. To ensure that all professional staff are aware of policies and procedures, that they know what to do and whom to inform when an explosion occurs or is about to occur, devote an inservice session or several sessions to the topic. You may want to conduct some simulation activities – just in case!

3. Know the seminal school law cases, including the shifting interpretations of what once was considered "safe" doctrine. But recognize at the same time that most legal decisions provide solid ground on which to stand when dealing with controversy of a litigious nature.

4. Do not misinterpret noise; it may be just that. On the other hand, never ignore even minor controversial whispers. They can build into tidal waves quickly and do lots of damage.

5. Be certain that all complaints are handled with dispatch, following established procedures. Nothing exacerbates a tense situation more than failing to respond in a prompt and businesslike manner. In your procedures, establish a calendar for responding to complaints and stick to it.

6. Do not violate your own policies or procedures in any way. Courts are quick to castigate school officials who are slipshod or cavalier about observing their own policies.

7. Have standard forms prepared that individuals or groups must fill out when submitting a complaint or request. Have the school board's attorney review such forms before printing them. Require a signature and date on all such submittals. People tend to think twice before allowing their complaint to go "on the record."

8. When controversy arises, do not attempt to cultivate the media. They resent – and rightly so – obvious attempts at co-opting alliances. On the other hand, keep them informed without compromising either propriety or confidentiality. A cooperative and frank relationship with the media goes far in maintaining equilibrium during emotionally charged confrontations.

9. Do not panic even though an issue may be red hot. Pressure groups thrive on situations in which charge and countercharge persist. And remember, in America the perceived underdog attracts lots of defenders no matter what the cause. Do not engage in vituperation or retaliatory rhetoric. Remain calm and evenhanded, listen courteously. Operate from the assumption that there is merit in every concern registered. Assuring complainants that their concerns will be addressed in timely fashion and according to established procedures can defuse many an attack.

10. Be sure that representative staff from every level of the school system are informed about and involved in assessing the situation and in recommending solutions to the problems raised. Here the chemistry of democracy and consensus diffuses blame, defuses emotions, and delivers results with which everyone can live.

11. Communicate frequently in writing with the board of education, colleagues, the media, and the community on the status of or progress on the issue in dispute. But do not overcommunicate and fan flames that may be mere embers. You are the best judge as to what to say, to whom, how often, and when.

12. Accept the fact that disagreement and conflict are central ingredients of a democracy and are not fatal to progress. Do not agonize over the lack of agreement over solutions to a controversy. You cannot satisfy everyone.

Controversial issues in the schools call for both reason and compromise. But accommodation does not mean surrender; it does mean considerateness and tolerance. Whatever the issue, intelligent anticipation, enlightened policy, and courteous communication will help in illuminating and handling it with perspective and balance.

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